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REPLY TO **MONTCLAIR** OFFICE

LETTER-MOTION TO AMEND CONDITIONS OF RELEASE

April 3, 2020

Served and Filed Via ECF  
Hon. Valerie E. Caproni, U.S.D.J.  
Thurgood Marshal United States Courthouse  
40 Foley Square  
New York, N.Y. 10007

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**MEMO ENDORSED**

Re: *United States v. Jonathan Burgos*, 20-cr-00182 (VEC)

Dear Judge Caproni:

I write, respectfully, seeking Your Honor's approval of a modification of Mr. Burgos's conditions of release. Specifically, I request that the Court permit Mr. Burgos to attend a small private family gathering that occurs each Sunday afternoon at his mother's home in the Bronx. This traditional event includes a religious ceremony and a family meal. There are usually 6-10 people in attendance. The timing is such that Mr. Burgos would leave his own residence no earlier than 3:00pm on Sundays and return home no later than 7:00pm. Because he is subject to location monitoring, Pretrial Services could readily verify his location during these time periods. I note further that I have been unable to garner the approval of the supervising Pre-trial Services Officer or the consent of the United States to this application.

By way of context, Mr. Burgos is one of four defendants named in a one-count indictment alleging narcotics trafficking in the Bronx. The indictment charges a conspiracy to distribute substances "containing a detectable amount of cocaine," in violation of 21 U.S.C. § 841(b)(1)(C). Such a violation carries no mandatory term of imprisonment. He has been on release status since the day of his arrest, February 11, 2020, under conditions agreed to by the United States. Those conditions include a PRB of \$75,000 with two co-signers, home detention, electronic monitoring, and supervision by Pretrial Services.

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Mr. Burgos is presently and gainfully employed, and has been for the past several years, performing clean-up and maintenance work. He pays child support via payroll deduction. His job placement has been approved by Pretrial.

This moderate alteration of the present conditions of confinement would allow an important positive relationship Mr. Burgos enjoys with his family to stay in place. His family, from their perspective, wishes to offer familial support to Mr. Burgos during this trying period, including the charges he faces in this Court.

Should Your Honor wish to hear from the parties on this proposal, it is my respectful request that both myself and my client be allowed to participate telephonically.

Your Honor's time and attention to this matter are appreciated.

Respectfully submitted,

/s/

David A. Ruhnke

Via ECF: Juliana Murray, AUSA

Application DENIED without prejudice. Mr. Burgos is reminded to strictly adhere to social distancing guidelines amidst the COVID-19 pandemic; he's encouraged to connect with his family through virtual means. At a more appropriate time, when social distancing rules have been relaxed, Defendant may renew the request.

SO ORDERED.

Date: 04/03/2020



HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE